

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 5th day of May, 2009 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Jeff Dredge,	Council Chair
Krista Dunn,	Council Member
Pat Griffiths,	Council Member
Robbie Robertson,	Council Member - Conducting
Jim Brass,	Council Member

DRAFT

Others who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Michael Wagstaff,	Council Director
Brent Davidson,	Deputy City Recorder
Frank Nakamura,	City Attorney
Gilbert Rodriguez,	Fire Chief
Mike Dykman,	Battalion Chief
Blaine Haacke,	General Manager
Greg Ballon,	Assistant General Manager
Tim Fingey,	Economic Development Director
Kevin Potter,	Fire Department
Citizens	

AWAITING FORMAL APPROVAL

A. OPENING CEREMONIES

1. Pledge of Allegiance - Michael Wagstaff, Council Director
2. Approval of Minutes for April 21, 2009:

Ms. Dunn made a motion to approve the minutes.

Mr. Dredge 2nd the motion

Voice vote taken; All Ayes

3. Special Recognition:

1. **Consider a Joint Resolution of the Mayor and Municipal Council of Murray City, Utah, to designate and support May 17-24, 2009 as Emergency Medical Services Week.**

Mr. Robertson read the Resolution in its entirety.

Mr. Brass made a motion to adopt the Resolution.

Ms. Dunn 2nd the motion

Roll vote recorded by Bren Davidson:

A Mr. Brass

A Ms. Griffiths

A Ms. Dunn

A Mr. Dredge

A Mr. Robertson

Motion passed 5-0

Mayor Snarr stated that he appreciates this Resolution, more now than ever, as both his son-in-law and his daughter passed the State exam to be emergency medical technicians; he is proud of them, and the work that the City does, and very proud of the fact that the City has world class firemen, policemen, and hospitals, and everyone works together in a world class way to make the best services available to our City.

Mayor Snarr introduced Kevin Potter, Battalion Chief.

Mr. Potter stated that on behalf of the Fire Department and Chief Rodriguez, he would like to provide information during EMS work:

The Fire Department will be participating in EMS week activities, including providing free blood pressure clinics at several public locations; during the week, between the hours of 11:00 a.m. and 1:00 p.m., fire fighters will be at Albertsons on 5600 South 900 East, Smiths Food and Drug at 5300 South 700 West, Fashion Place Mall at 6191 South State Street, and at the Heritage Senior Center at 10 East 6150 South.

On Saturday, May 23, 2009, the Fire Department will be hosting an open-house at the ambulance station on 163 East 5900 South, between 10:00 a.m. and 3:00 p.m.. He invites everyone to come out and take a tour of the facility, and enjoy a barbeque at the station.

This years theme is *A Proud Partner in Your Community*, which is especially fitting because with the addition of the paramedic ambulance service, they have really taken a milestone at the Fire Department, and are very proud of that fact.

EMS Week is an opportunity for the public to learn about injury prevention, safety awareness, and emergency preparedness. The EMS professionals at the Murray Fire Department, with the support of the Murray Council and Mayor, continually work to provide the highest level of service, and are proud to be partners in the community.

B. CITIZEN COMMENTS (Comments are limited to 3 minutes unless otherwise approved by the Council.)

None given.

Public Comment closed.

C. CONSENT AGENDA

Mr. Dredge asked that the following confirmations be taken together. No objections were noted.

1. **Consider confirmation of the Mayor's appointment of Jay Bollwinkel to the Murray History Advisory Board in an At-Large position for a term to expire August 1, 2011.**

Ms. Griffiths made a motion to approve the appointment..
Ms. Dunn 2nd the motion

Call vote recorded by Brent Davidson:

A Mr. Brass
A Ms. Griffiths
A Ms. Dunn
A Mr. Dedde
A Mr. Robertson

DRAFT

Motion passed 5-0

D. PUBLIC HEARINGS

Staff and sponsor presentations, public comment, and discussion prior to Council action on the following matter:

AWAITING

None scheduled

E. UNFINISHED BUSINESS

FORMAL

None scheduled

F. NEW BUSINESS

APPROVAL

1. **Consider an Ordinance amending Chapter 15.20.630© of the Murray City Municipal Code to increase the base cost of supply for the Supply Cost Adjustment.**

Staff presentation: Blaine Haacke, General Manager

Mr. Haacke read from the City Ordinance: “the purpose of the Supply Cost Adjustment is to enable the City to recover the actual costs incurred in generating or purchasing electrical power for use by its customers. The SCA amount is determined by comparing the City’s actual monthly power supply costs to a base kilowatt hour cost. When power supply costs significantly exceed budgeted projections, customers will see a surcharge applied to their applicable monthly bill.” The base kilowatt cost is what they are here to change; the only change in the Ordinance is the number: \$.04 per kilowatt hour, to \$.045, due to the cost

increase over the past year. The SCA is there for protection for the City, the goal and hope is that we will never surpass that surcharge, that monthly threshold, but this needs to be put back into place after taking a eight month hiatus; after the rate increase of last summer, it was prudent to stop the SCA, but now, things have stabilized a bit and it needs to be put back into place. The CRISP rates are expected to go up by 10% in October, and our coal-fired resources are going up three to five percent, so it is almost a never ending thing, and if there is a catastrophic situation where a plant goes down, we at least have an avenue of recouping some of our costs. There are thresholds and limits to the amount of what we can surcharge to the customer, so it will not be a heavy burden on anyone if we have to implement this.

Mr. Brass asked if the number (\$.045) is appropriate with our base.

Mr. Haacke stated that when the numbers were presented for the budget, this is the amount that the costs increased- from \$.04 to \$.045. This is a number that they can live with for one year; it is their expected resource cost for the next 12 months.

Ms. Griffiths made a motion to adopt the Ordinance.

Mr. Brass 2nd the motion

Call vote recorded by Brent Davidson:

A Mr. Brass

A Ms. Griffiths

A Ms. Dunn

A Mr. Freudge

A Mr. Robertson

Motion passed 5-0

2. **A Resolution authorizing the Mayor to enter into an Agreement with the law firm of Larsen, Larsen, Nash & Larsen, to provide legal representation of indigent defendants; and authorizing the Court to appoint conflict counsel for indigent defendants.**

Staff presentation: Brent Davidson, Deputy City Recorder

Mr. Davidson stated that an RFP was issued on March 18, 2009 and the City Recorder's Office received nine responses; the selection committee reviewed and examined each proposal based upon the criteria set forth in the RFP, which is: 25% on the approach of providing public defender services, 35% on experience,

qualifications, and references, and 40% on pricing. The selection committee chose the firm of Larsen, Larsen, Nash & Larsen based on the total points received.

Mr. Nakamura added that the committee consisted of two outside attorneys: Brian Brower, the Clearfield City Attorney, and Stewart Williams, the West Jordan City Prosecutor, Carol Heales, City Recorder, and Brent Davidson, Deputy City Recorder.

The City placed a ceiling on the contract amount of \$48,000, and still received the nine bids, which was substantially less than the prior agreements that the City has had. This firm of Larsen, Larsen, Nash & Larsen have been doing public defense work for the court for the past several years.

Ms. Griffiths suggested that paragraph #4 of the Resolution be changed to read: 'Judge of the Murray City Justice Court is hereby authorized', rather than having the name of a specific person.

Mr. Nakamura agreed with Ms. Griffiths and said that they will make this change.

Ms. Griffiths made a motion to adopt the Resolution, with the change as noted.
Mr. Dredge 2nd the motion

Call vote recorded by Brent Davidson.

A Mr. Press
A Ms. Griffiths
A Ms. Dunn
A Mr. Dredge
A Mr. Robertson

Motion passed 5-0

G. MAYOR'S REPORT

Mayor Snarr thanked all those who attended and participated in the methane gas project at Trans-Jordan Landfill; he thought the ceremony went very well. It was a nice ceremony, it was fun, and it was something that the City has worked on for over five years, and it is exciting to see it come to fruition. The people out there will have the opportunity to realize that this is something important for the future, this was a wasted resource in the past, and now it is a very valuable resource to Murray residents. There has been a great partnership between Murray, Granger, the members of Trans-Jordan, the Power Advisory Board, and all the others involved. They worked cooperatively to make something nice happen for our city, and it is now a 15-year contract, as opposed to the ten year it was before.

We now know 'what horse we are riding' for the next 15 years; we don't know what horse we will be riding with hydro-power from the Colorado River Storage Project, we don't know from year to year what they are going to charge, but with this project, we know where we are at.

Mr. Brass added that Granger Energy has extended an invitation to anyone to visit at any time, and said that it is a great facility, well worth looking at.

Ms. Dunn added that it was also fun to see all of the other cities, counties, and other organizations that were there to see what it is that we are doing, and asking how did they miss out on this.

The Mayor remarked that the representative from Rocky Mountain Power said that "they were a day late, and a buck short" and that they should have gotten in on this. The representative also congratulated the City for taking the initiative and moving aggressively, moving faster and making it happen faster than they could put it together.

Mr. Haacke stated that so far this month, they have bought \$60,000 worth of energy during their test period. They have to go through a 15-day test period where they have to average 3 megawatts before the City has to take commercial operation of the plant, before the City has to pay the \$500,000. They have to prove their reliability for two weeks before the City has to ante up the money for the interconnection fee with Rocky Mountain Power. As of yet, they have not started that. They have tried to a couple of times, but cannot quite get the 3 megawatt average, they can go from 4, down to 2, then 1, then they are off for a couple of days. At the open-house, they told the City that it is no big deal, that when you start up a plant like that, it takes a month or so to get the weird stuff out of the machinery and such, and the City is ok with that. The City does not need the energy in a big way until the June-August time period; as long as they stall off a bit, it will let the City keep their money a bit longer. He hopes that within a month or so, the plant will be up and going.

Mayor Snarr asked what it really cost them. Mr. Haacke said he really didn't know, but the best he could guess is three times the cost of what they thought, which was \$500,000 for the interconnection, between that plant and Rocky Mountain Power.

Mr. Nakamura said that it could have cost the City substantially more, and there is some stimulus money available for this as well. Mr. Haacke agreed, adding that, if the City applies for the grant in the correct way, it could be as much as \$290,000. We are signed up with the right agencies now, and will go through the process.

Mr. Haacke stated that the City could have gone in a couple of different directions; when he and Mr. Nakamura negotiated that agreement, they could have gotten a cheaper kilowatt hour per use for the 15 years, but they would have had to pay more up front, but they felt that this was the way to go; they put a ceiling of \$550,000 on the interconnection fee, and at that point in time, no one really knew what the cost was, and they had heard that this was the cost for the inter-tie for the landfill gas plant #1, and they feel that they made the right decision.

H. QUESTIONS OF THE MAYOR

None

ADJOURNMENT